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December 16, 2022

VIA ECF

The Honorable Sarah Netburn
United States District Court
Southern District of New York
Thurgood Marshall Courthouse
New York, NY 10007

Re: *Lynne Freeman v. Tracy Deebs-Elkenaney et. al.*, 1:22 Civ 02435 (LLS)(SN)

Dear Judge Netburn:

This firm is counsel to defendants Tracy Deebs-Elkenaney p/k/a Tracy Wolff, Entangled Publishing, LLC, Holtzbrinck Publishers, LLC d/b/a Macmillan, and Universal City Studios LLC (collectively, “Entangled Defendants”). We write jointly with counsel plaintiff Lynne Freeman (“Plaintiff”) and defendants Emily Sylvan Kim and Prospect Agency, LLC (collectively, “Prospect”) in accordance with Your Honor’s December 14 Order (*see* ECF No. 93) directing the parties to indicate whether there has been an agreement on the review of redacted text messages.

Counsel for the Entangled Defendants met and conferred with Plaintiff’s counsel, Mr. Passin, via telephone on December 14 for approximately 15 minutes.¹ During this meet and confer the parties agreed to the following: (1) Entangled Defendants and Prospect will send Mr. Passin a link via Microsoft OneDrive to the unredacted versions of their text messages,² which shall be made available during fact discovery initially for two weeks of Mr. Passin’s choosing, with the parties to discuss in good faith extending this review period for a reasonable period if necessary for Mr. Passin to complete his review; (2) these documents shall be treated as “CONFIDENTIAL” and “ATTORNEYS’ EYES ONLY” whether or not they are marked as such; (3) the download function will be disabled and Mr. Passin agrees not to share this link with anyone else, including Plaintiff; (4) Plaintiff similarly agrees to provide the unredacted versions of any emails (other than redactions for privilege) she produced with redactions, and to provide unredacted versions of all of Plaintiff’s text messages that were responsive to the agreed upon search terms during the period from January 1, 2010 through March 31, 2021,³ in the same manner as described above, except for three text messages relating to her son’s doctor and two (2) places Plaintiff’s credit card number

¹ Mr. Koonce, counsel for Prospect could not attend the call due to an immovable conflict and consented to counsel for the Entangled Defendants speaking on Prospect’s behalf.

² The Entangled Defendants did not redact any emails for relevancy and only redacted passwords from three emails: ENTANGLED_0065884, ENTANGLED_0065882, and ENTANGLED_0057148. If any party identifies other documents that another party produced with redactions, the parties will confer on whether those shall be provided for review under the procedures discussed herein.

³ Plaintiff will review the texts from April 1, 2021 through February 6, 2022 and then discuss in good faith with Defendants how to handle those text messages.



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appears. Defendants shall treat these documents received from Plaintiff as “CONFIDENTIAL” and “ATTORNEYS’ EYES ONLY.” Counsel for the Entangled Defendants and Prospect agree not to share this link with anyone else, including any of the Defendants.

We thank the Court for its time and attention to this matter.

Respectfully Submitted,

**COWAN, DeBAETS, ABRAHAMS &
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cc: All counsel of record (via ECF)